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LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

and

UMME-HANI KHAN,

Plaintiff-Intervenor

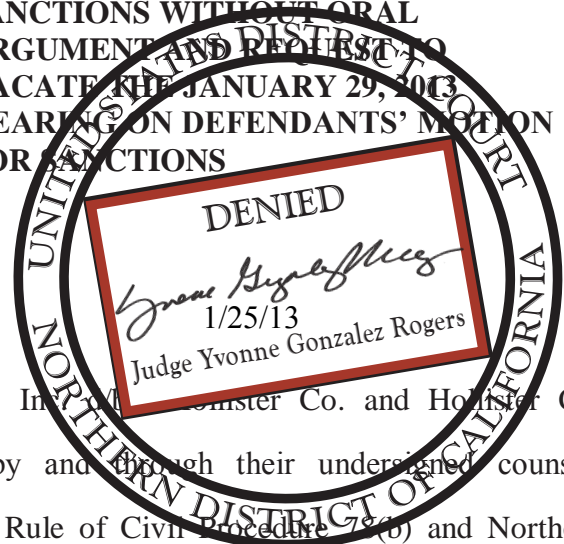
vs.

ABERCROMBIE & FITCH STORES, INC.
dba HOLLISTER CO., HOLLISTER CO.
CALIFORNIA, LLC,

Defendants.

Case No.: CV 11-3162 YGR

**REQUEST FOR DETERMINATION OF
DEFENDANTS' MOTION FOR
SANCTIONS WITHOUT ORAL
ARGUMENT AND REQUEST TO
VACATE THE JANUARY 29, 2013
HEARING ON DEFENDANTS' MOTION
FOR SANCTIONS**



Defendants Abercrombie & Fitch Stores, Inc., Hollister Co. and Hollister Co. California, LLC (collectively, "Defendants"), by and through their undersigned counsel, respectfully move the Court pursuant to Federal Rule of Civil Procedure 73(b) and Northern

1 District of California Local Rule 7-1(b) to rule on *Defendants' Motion for Sanctions Against Third*
2 *Party, Council on Islamic-Relations, California, For its Failure to Provide a 30(B)(6)*
3 *Representative For Deposition*, [Doc-68] (the "Motion") without oral argument. Defendants also
4 respectfully request that the Court vacate the hearing scheduled for January 29, 2013 at 2:00 p.m.
5 on Defendants' Motion.

6 Defendants respectfully request the Court to issue a ruling on the Motion once briefing is
7 complete and the Motion is ripe for the Court's review. Defendants filed their Motion on
8 December 21, 2012. Third-Party, Council On American-Islamic-Relations ("CAIR-CA") filed an
9 opposition to the Motion on January 4, 2013. Defendants filed a reply brief in support of their
10 Motion on January 11, 2013.

11 Defendants believe that a hearing is unnecessary since the grounds for the Motion - CAIR-
12 CA's refusal to provide a 30(B)(6) representative for deposition – have previously been brought
13 to the Court's attention and addressed by the Court. On October 16, 2012, Defendants filed a joint
14 letter brief with the Court requesting that CAIR-CA be ordered to produce a 30(b)(6)
15 representative for deposition. [Doc-55]. On October 17, 2012, this Court issued an Order
16 requiring CAIR-CA to produce a representative for deposition. [Doc-56]. Additionally, the
17 Parties' positions are fully set forth in their briefs.

18 Accordingly, Defendants respectfully request that the Court vacate the hearing scheduled
19 for January 29, 2013, deem the matter submitted and issue a ruling based on the briefs and the
20 record in this case.

21
22 Respectfully submitted,

23 /s/Daniel J. Clark

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